

**HILL WALLACK LLP**

Jeffrey L. Shanaberger, Esq. – #20931983  
21 Roszel Road  
P.O. Box 5226  
Princeton, New Jersey 08543  
(609) 924-0808  
Attorneys for Defendant, La'Quetta Small

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JANE DOE, on behalf of JOHN DOE, her  
minor child,

Plaintiff,

vs.

MARTY SMALL, SR., in his official capacity  
as Mayor of Atlantic City, New Jersey, and  
individually,

LA'QUETTA SMALL, in her official capacity  
as Former Principal of Pennsylvania Avenue  
School, and individually,

BARRY CALDWELL, in his official capacity  
as current Superintendent of the Atlantic City  
School District,

PAUL A. SPAVENTA, in his official capacity  
as former Interim Superintendent of the  
Atlantic City School District,

ATLANTIC CITY BOARD OF  
EDUCATION, a public entity, and

KAYAN AHMED FRAZIER, an individual,

Defendants.

Civil Action. No. 1:21-cv-11189-JHR-SAK

**Document electronically filed**

**NOTICE OF MOTION  
TO DISMISS THE COMPLAINT  
PURSUANT TO F.R.C.P. 12(b)(6)**

**ORAL ARGUMENT IS REQUESTED  
PURSUANT TO L. CIV. R. 78.1**

TO: Terrell A. Ratcliff, Esq.  
300 Atrium Way, Suite 200  
Mt. Laurel, NJ 08054  
Attorneys for Plaintiff

**PLEASE TAKE NOTICE** that on September 7, 2021, at 9:00 a.m. or as soon thereafter as counsel may be heard, defendant La'Quetta Small through her attorney, Jeffrey L. Shanaberger, Esq., Hill Wallack LLP, shall move before the United States District Court for the District of New Jersey, Mitchell H. Cohen Building & U.S. Courthouse, 4<sup>th</sup> and Cooper Streets, Camden, NJ 08101, for an Order dismissing the Complaint in its entirety with prejudice;

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, the defendant shall rely upon the Brief submitted herewith;

**PLEASE TAKE FURTHER NOTICE** that the defendant requests oral argument on this motion pursuant to L. Civ. Rule 78.1(b); and

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

HILL WALLACK LLP  
21 Roszel Road  
Princeton, NJ 08543-5226  
Attorneys for Defendant,  
La'Quetta Small

By: /s/ Jeffrey L. Shanaberger  
Jeffrey L. Shanaberger, Esq.

Dated: July 27, 2021